



W.P.No.2770 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2023

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.2770 of 2023  
and WMP No.2888 of 2023

Mohamed Dada

... Petitioner

-Vs-

- 1.The District Collector  
District Collectorate Office  
Tiruvannamalai  
District -606604.
- 2.The Assistant Director  
Town Panchayat  
Vellore Division, Sattuvachari  
Vellore-632009.
- 3.The Revenue Divisional Officer  
Tiruvannamalai  
Thiruvannamalai District.
- 4.The Thasildar  
Chetpet Taluk  
Thiruvannamalai District.
- 5.The District Environment Engineer (DEEE)  
Tamil Nadu Pollution Control Board  
Tiruvannamalai  
Thiruvannamalai District.



W.P.No.2770 of 2023

6.The Block Development Officer  
Block Development Office  
Chetpet  
Thiruvannamalai District.

7.The Executive Officer  
Town Panchayat, Chetpet  
Thiruvannamalai District.

8.The Chairman  
Town Panchayat, Chetpet  
Thiruvannamalai District.

9. Amudha

10.Ramesh

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents particularly 1st to 8th respondents from constructing Public Toilet or any endangering buildings in Survey No. 378/3C, 378/3D to an extent of 35 cents, situated at Gingee Road, Chetpet Town, Thiruvannamalai District.

For Petitioner Ms.P.Devisai Monica

For Respondents Mrs.Mythreye Chandru  
Special Government Pleader  
for R1 to R4  
Mr.S.Rajesh  
Government Advocate  
for R6, R7  
Mr.P.Srivamani  
for R10



W.P.No.2770 of 2023

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## **ORDER**

This writ petition has been filed for the issue of a writ of mandamus forbearing the official respondents from constructing a Public Toilet in the property belonging to the petitioner in Survey No.378/3C and 378/3D to an extent 35 cents situated at Gingee Road, Chetpet Town, Thiruvannamalai District.

2.The grievance of the petitioner is that the petitioner is the owner of the subject property by virtue of the registered sale deed dated 12.09.2002. In his private property, an attempt was made by the respondents to construct a Public Toilet. The petitioner gave a representation and also issued legal notice in this regard. Since the same was not considered, the present writ petition has been filed before this Court.

3.When the matter was taken up for hearing, the learned Special Government Pleader appearing on behalf of the respondents 1 to 4, submitted that a survey was conducted and it was found that the Public Toilet is now constructed only in Survey No.377. The written instructions received in this regard was also placed before this Court. The learned counsel appearing on behalf of the 10<sup>th</sup> respondent also submitted that no attempt is made to construct the Public Toilet in the property belonging to the petitioner.

4.In the light of the specific stand taken by the respondents, the apprehension raised by the petitioner has been sufficiently answered. There shall be a direction to the



W.P.No.2770 of 2023

respondents not to encroach upon the property belonging to the petitioner in Survey No.378/3C and 378/3D measuring an extent of 35 cents. The construction shall confine itself only to Survey No.377.

5.This writ petition is disposed of in the above terms No costs. Consequently, connected miscellaneous petition is closed.

19.04.2023

KP

Internet : Yes/No  
Index : Yes/No  
Speaking Order:Yes/No  
Neutral Citation :Yes/No



W.P.No.2770 of 2023

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**N.ANAND VENKATESH, J.**

KP

W.P.No.2770 of 2023

19.04.2023